

## REMARKS

In response to the Office Action mailed on 24th March, 2005, Applicant wishes to enter the following remarks for the Examiner's consideration. Applicant has amended claims 31, 62 and 67. Claims 1-8, 10-13, 15-41 and 43-67 are pending in the application.

### **Rejection of claims under 35 USC §103(b)**

Claims 31 and 62 have been rejected under 35 USC §103(b) as being unpatentable over Osborne (6,088,588) in view of Zhang (US Patent Application No. US 2001/0049263). Applicant respectfully traverses this rejection of the claims.

In the response to the previous office action, Claims 31 and 62 were rewritten in independent form and amended to specify that the collection communication device was a collection communication terminal, to clarify that the collection device was not network server or a base station.

However, in the current office action, the examiner has opined that the base station of Osborne is equivalent to the collection communication terminal of claims 31 and 62.

In a telephone interview conducted on May 11<sup>th</sup>, 2005, the examiner again opined that a base station was equivalent to a terminal. However, the examiner also agreed that the term "portable device" would serve to distinguish the collection device from a base station. Accordingly, Applicant has amended claims 31 and 62 to describe the collection device as a portable device.

The use of a collection device is described in the specification on page 8, line 15 to page 9, line 16, for example. The use of a collection device "reduces the number of direct communications occurring across the communication link to the network server". Further, page 5, lines 22-26 of the specification states: "Examples of communication devices include, but are not limited to, wireless communication devices such as a handsets or cellular telephones, telematics devices or modules (such GM's OnStar System), personal computers (PCs), consumer appliances such as set-top boxes, and

personal digital assistants (PDAs)." All of these exemplary devices are portable devices, not base stations or servers.

Applicant submits that the basis rejection of claims 31 and 62 have been overcome and requests that a Notice of Allowance for claims 31 and 67 be mailed at the Examiner's earliest convenience.

Claim 67 has been rejected under 35 USC §103(b) as being unpatentable over Osborne (6,088,588) in view of Zhang (US Patent Application No. US 2001/0049263), and further in view of Loomis et al. (5,625,668). Applicant respectfully traverses this rejection of the claim.

Claim 67 has been amended to clarify the distinction between user communication devices and an operator device (such as a server or base station). Claim 67 has also been amended to include the intermediate element "transmitting the user interaction data to a collection communication device of the plurality of user communication devices". This element is supported by claims 31 and 62 and is described in the specification on page 8, line 15 to page 9, line 16, for example

The Zhang, Osborne and Loomis references, whether considered separately or together, do not teach or otherwise suggest "transmitting the user interaction data to a collection communication device of the plurality of user communication devices", since a base station is not equivalent to a user communication device.

Applicant submits that the basis rejection of these claims has been overcome and requests that a Notice of Allowance for these claims be mailed at the Examiner's earliest convenience.

#### **Allowable Subject Matter**

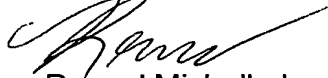
Claims 1-13, 15-30, 32-61 and 63-66 have been allowed.

In light of the foregoing amendments and explanations, applicant submits that all rejections of claims have been overcome. Allowance of claims is therefore respectfully requested at the Examiner's earliest convenience. Although additional arguments could be made for the patentability of each of

the claims, such arguments are believed unnecessary in view of the above discussion. The undersigned wishes to make it clear that not making such arguments at this time should not be construed as a concession or admission to any statement in the Office Action.

Please contact the undersigned if you have any questions regarding this application.

Respectfully submitted,



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